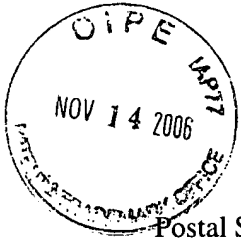


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE UNDER 37 C.F.R. §1.8



I hereby certify that the documents enclosed herein are being deposited with the United States Postal Service as first class mail on this 9th day of November, 2006 in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Michelle Ludwig

In re application of: Seale et al.

Serial No.: 10/707,039

Filed: November 17, 2003

For: Amino Acid Sequence Variant Alfalfa Antifungal
 Protein And Its Use In Plant Disease Control

)
) Examiner: Zheng, Li
)
) Group Art Unit: 1638
)
) Conf. No. 1038
)
)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Response to Restriction/Election

This paper is filed in response to the Office Action Summary mailed August 10, 2006, which provided one month for reply and which required the Applicant to elect among several restriction groups claims to be prosecuted in this case. This paper is also filed along with a Petition for a two month extension of time and authorization for the office to deduct the appropriate fees from the Applicant Monsanto's Deposit Account 13-4125, and along with amendments to the claims that are elected for further prosecution. It is believed therefore that this paper is timely filed.